

AN ACT

relating to the eligibility of persons to participate in an ad valorem tax sale of real property; creating a criminal offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 34, Tax Code, is amended by adding Section 34.011 to read as follows:

Sec. 34.011. BIDDER REGISTRATION. (a) This section applies only to a sale of real property under this chapter conducted in a county in which the commissioners court by order has adopted the provisions of this section.

(b) A commissioners court may require that, to be eligible to bid at a sale of real property under this chapter, a person must be registered as a bidder with the county assessor-collector before the sale begins. The county assessor-collector may adopt rules governing the registration of bidders under this section. The county assessor-collector may require a person registering as a bidder:

- (1) to designate the person's name and address;
- (2) to provide valid proof of identification;
- (3) to provide written proof of authority to bid on behalf of another person, if applicable;
- (4) to provide any additional information reasonably required by the county assessor-collector; and
- (5) to at least annually execute a statement on a form

1 provided by the county assessor-collector certifying that there are  
2 no delinquent ad valorem taxes owed by the person registering as a  
3 bidder to the county or to any taxing unit having territory in the  
4 county.

5 (c) The county assessor-collector shall issue a written  
6 registration statement to a person who has registered as a bidder  
7 under this section. A person is not eligible to bid at a sale of real  
8 property under this chapter unless the county assessor-collector  
9 has issued a written registration statement to the person before  
10 the sale begins.

11 SECTION 2. Section 34.015(p), Tax Code, is amended to read  
12 as follows:

13 (p) This section applies only to a sale of real property  
14 under Section 34.01 that is conducted in:

15 (1) a county with a population of 250,000 or more in  
16 which the commissioners court has not by order adopted the  
17 provisions of Section 34.011; or

18 (2) a county with a population of less than 250,000 in  
19 which the commissioners court by order has adopted the provisions  
20 of this section.

21 SECTION 3. Sections 34.0445(a) and (c), Civil Practice and  
22 Remedies Code, are amended to read as follows:

23 (a) An officer conducting a sale of real property under this  
24 subchapter may not execute or deliver a deed to the purchaser of the  
25 property unless the purchaser exhibits to the officer:

26 (1) an unexpired written statement issued to the  
27 person in the manner prescribed by Section 34.015, Tax Code,

1 showing that the county assessor-collector of the county in which  
2 the sale is conducted has determined that:

3 (A) [~~(1)~~] there are no delinquent ad valorem  
4 taxes owed by the person to that county; and

5 (B) [~~(2)~~] for each school district or  
6 municipality having territory in the county there are no known or  
7 reported delinquent ad valorem taxes owed by the person to that  
8 school district or municipality; or

9 (2) the written registration statement issued to the  
10 person in the manner prescribed by Section 34.011, Tax Code,  
11 showing that the person is a registered bidder at the sale at which  
12 the property is sold.

13 (c) The deed executed by the officer conducting the sale  
14 must name the successful bidder as the grantee and recite that the  
15 successful bidder exhibited to that officer:

16 (1) an unexpired written statement issued to the  
17 person in the manner prescribed by Section 34.015, Tax Code,  
18 showing that the county assessor-collector of the county in which  
19 the sale was conducted determined that:

20 (A) [~~(1)~~] there are no delinquent ad valorem  
21 taxes owed by the person to that county; and

22 (B) [~~(2)~~] for each school district or  
23 municipality having territory in the county there are no known or  
24 reported delinquent ad valorem taxes owed by the person to that  
25 school district or municipality; or

26 (2) the written registration statement issued to the  
27 person in the manner prescribed by Section 34.011, Tax Code,

1 showing that the person is a registered bidder at the sale at which  
2 the property is sold.

3       SECTION 4. The changes in law made by this Act apply only to  
4 the sale of real property under Subchapter C, Chapter 34, Civil  
5 Practice and Remedies Code, or Chapter 34, Tax Code, on or after the  
6 effective date of this Act.

7       SECTION 5. This Act takes effect January 1, 2016.

H.B. No. 3951

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3951 was passed by the House on May 15, 2015, by the following vote: Yeas 137, Nays 2, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 3951 was passed by the Senate on May 27, 2015, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor